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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,213	08/27/2003	Fred Bagshaw	H310765US	4338
28079	7590	06/19/2006	EXAMINER	
GOWLING, LAFLEUR HENDERSON LLP ONE MAIN STREET WEST HAMILTON, ON L8P 4Z5 CANADA			CHIN SHUE, ALVIN C	
			ART UNIT	PAPER NUMBER
			3634	

DATE MAILED: 06/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Heilskov '628 in view of Henley. Heilskov shows a step/platform at 12 and heath shrink plastic stop sleeving 18,19. Henley shows heat shrunk stop sleeve made of thermo plastic material. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use thermoplastic material, for the plastic heath shrunk sleeves of Heilskov, as taught by Henley, to facilitate shrinking.

Claims 1 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heilskov '708 in view of Heilskov '628. Heilskov '708 shows the claimed ladder with the exception of the heat-shrinkable sleeving. Heilskov '628 shows heat-shrinkable sleeving. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the sleeving 25,26 of Heilskov

'708 to be heat shrinkable, as taught by Heilskov '628, to facilitate clamping to his rope rails.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Heilskov '708 and Heilskov '628, as applied to claim 4 above, and further in view of either the disclosed typical dowel rungs (pg. 5 paragraph (0021) of applicants specification or Elfanbaum. Both the typical rung and Elfanbaum at 10 teach wooden dowel rungs. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify to modify Heilskov '708 to comprise wooden dowel rungs, as taught by either the typical rung or Elfanbaum, to enable a cost-effective construction.

Applicant's arguments filed 6/3/05 have been fully considered but they are not persuasive. With respect to claim 6, the rungs of Heilskov '628 are platform steps, note page 4 paragraph (0018), of applicant's specification. With respect to applicant's argument that a heat shrunk sleeve would not be able to support the platform of Heilskov '708 such appears to be merely a conclusion and applicant has provide no evidence that a heat shrunk sleeve would not support the weight of such a rung. It is noted that applicant himself contemplates the use of such rungs being held by heat-shrunk sleeves.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin C. Chin-Shue whose telephone number is

571-272-6828. The examiner can normally be reached on Monday-Friday, 8:00 a.m. - 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Alvin C. Chin-Shue
Examiner
Art Unit 3634